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**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

DANA ABOUD, ALBERT SCHWEIZER,  
WILLIAM HICKS, and MICHAEL  
POROWSKI, individually and on behalf of all  
others similarly situated,

Plaintiffs,

v.

CHARLES SCHWAB & CO., INC.,

Defendant.

**No. 14 Civ. 2712 (PAC)**

**SUPPLEMENTAL DECLARATION OF JUSTIN M. SWARTZ IN SUPPORT OF  
PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION  
SETTLEMENT, CONDITIONAL CERTIFICATION OF THE SETTLEMENT CLASS,  
APPOINTMENT OF PLAINTIFFS' COUNSEL AS CLASS COUNSEL, AND  
APPROVAL OF PLAINTIFFS' PROPOSED NOTICES OF SETTLEMENT**

I, Justin M. Swartz, declare as follows:

1. I am a partner in the firm of Outten & Golden LLP (“O&G”) in New York, New York, Plaintiff’s counsel herein, and co-chair of its Class Action Practice Group. O&G is a 35+ attorney firm based in New York City that focuses on representing plaintiffs in a wide variety of employment matters, including individual and class action litigation involving wage and hour, discrimination, and harassment claims, as well as contract and severance negotiations.

2. I am one of the lawyers primarily responsible for prosecuting Plaintiffs’ claims on behalf of the proposed class.

3. I make these statements based on personal knowledge and would so testify if called as a witness at trial.

**Exhibits**

4. Attached as **Exhibit A** is a Notice of Pendency of Class Action and Opportunity to Opt-In, Proposed Settlement, and Hearing Date for Court Approval (“Rule 23 Notice of Pendency”) and Consent to Join Settlement and Claim Form.

5. Attached as **Exhibit B** is a Notice of Pendency of Collective Action and Opportunity to Opt In, Proposed Settlement, and Hearing Date for Court Approval (“Non-Rule 23 Notice of Pendency”) and Consent to Join Settlement and Claim Form.

I declare under penalty of perjury, under 28 U.S.C. § 1746, that the foregoing is true and correct.

Executed this 27<sup>th</sup> day of June, 2014  
New York, New York.

/s/ Justin M. Swartz  
Justin M. Swartz  
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